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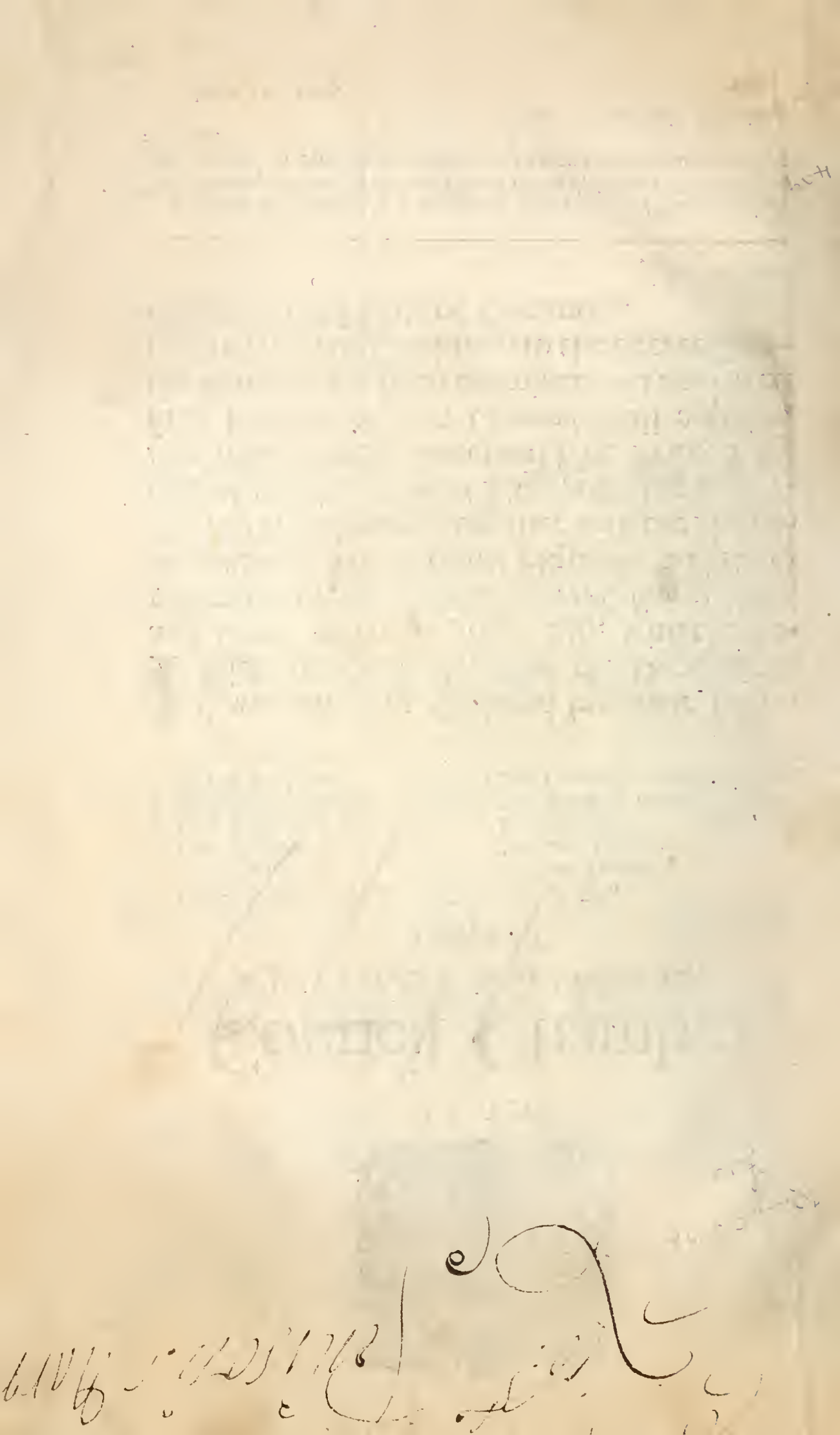


AT THE

Council Chamber

WHITEHALL the 16*th* of *July* 1679.

PRESENT

Lord Arch-Biſhop of *Canterbury*
Lord Chancellor
Lord Preſident
Lord Privy Seal
Marqueſs of *Worceſter*
Earl of *Bridgwater*
Earl of *Sunderland*
Earl of *Eſſex*
Viſcount *Fauconberg*
Viſcount *Halifax*
Lord *Robarts*
Mr. Secretary *Coventry*
Mr. Chancellor of the Exchequer.

IT was this day Ordered by their Lordſhips in Council, That the Depoſitions and Letter of *Robert Jeniſon* Eſq; with the Atteſtations of Sir *Michael Warton*, *George Booth*, *Robert Bowes*, *William Burnet* Eſquires, and *Ralph Marſhal* Gentleman, together with the Narrative of *Charles Chetwind* Eſq; (relating to *William Ireland* lately executed) Be Printed by ſuch Perſons as Mr. *Chetwind* ſhall appoint, the ſame having been examined and approved by Mr. *Treby* late Chairman to the Secret Committee of the Houſe of Commons.

John Nicholas.

By virtue of this Order, I do appoint *Henry Hills*, *Thomas Parkhuſt*, *John Starkey*, *Dorman Newman*, *Thomas Cockeril*, *Thomas Simmons*, and *Jacob Tonſon*, to Print this Narrative, and that no other preſume to Print the ſame.

Charles Chetwind.

July the 17*th* 1679.

C 3792

A

NARRATIVE

OF THE

DEPOSITIONS

OF

Robert Jenison Esq;

With other *Material Evidences*, plainly proving

THAT

Mr. William Ireland,

Lately Executed for

HIGH TREASON,

Was in *London* the Nineteenth of *August*, 1678. Notwithstanding his Confident DENIAL thereof both at

HIS

Tryal and Execution.

Collected by *CHARLES CHETWIND* Esq;

LONDON,

Printed for *Henry Hills*, *Thomas Parkhurst*, *John Starkey*, *Dorman Newman*, *Thomas Cockeril*, *Thomas Simmons*, and *Jacob Tonson*. 1679.

3.030.031

The Publiſhers

PREFACE.

IT is not unknown to all conſidering and judicious Perſons in this Kingdom, that, upon the happy Diſcovery of the late horrid Popiſh Plot againſt his *Majeſties* Perſon and Government, and the Eſtabliſht *Proteſtant Religion*; and upon the Apprehenſion, Arraignment, Trial, and Condemnation of ſeveral of the Conſpirators, many Artifices have been uſed by Perſons of the ſame Perſuaſion, to defame the Witneſſes produced for the King, and to invalidate their Teſtimonies; in order whereunto, ſeveral Witneſſes have been procured, firſt at the Trial of *Ireland*, and after at the Trial of *White* alias *Whitebread*, *&c.* (many of them Scholars belonging to the *Engliſh* Seminary at St. *Omers*, inſtructed no doubt, and ſent over to act *viis & modis*, for the preſervation of their Conducters and Leaders) to teſtifie that Dr. *Titus Oates*, one of the principal Witneſſes for his Majeſty, was at St. *Omers*, at the ſame time when he upon his Oath affirms himſelf to have been in *London*; other Witneſſes have been alſo produced, to prove that Mr. *Ireland* (lately Executed) was in *Staffordſhire*, at thoſe days and times when Dr. *Oates*, Mr. *Bedloe*, and one *Sarah Pain*, atteſt upon their Oaths, that they ſaw him in *London*, as by the Printed Trials of *Ireland*, and *Whitebread*, *&c.* does appear ſuch a failure in Circumſtance of time and place, is of ſo great conſequence in this caſe that if made out, it would render the ſaid Perſons unworthy, the names of juſt and lawful Witneſſes; and for that reaſon their Adverſaries put ſo much ſtreſs upon it, that (not contented with the determination of the matter, at the Trial and Condemnation of *Ireland*) they again reſume it at the Trial of *Whitebread*, *&c.* and by their St. *Omers* Youths, endeavour to faſten falſehood on Dr. *Oates*, and by conſequence to impeach the credit of his Teſtimony, and the juſtice of their Condemnation. As to the firſt particular concerning Dr. *Oates*, his Teſtimony is juſtly ſecured, and he himſelf indubitably proved to have been in *London*, at the times by him mentioned and depoſed, by the concurrent evidence of divers creditable Perſons, given in upon Oath at the Trial of *Whitebread*; ſo that the Stratagem which his Antagoniſts did uſe, to deſtroy or at leaſt depretiate his Teſtimony, hath by a gracious emergency of Divine Providence, turned to a ſtrong confirmation thereof, and for ever ſet him, as to this point, *Rectus in curia*, a good and lawful Witneſs, in reference to all the Evidence already given, and which hereafter may be given by him in any future Trials. Their deſign failing herein, their next attempt was to entrap him and the reſt, in relation to Mr. *Ireland*, whom the Witneſſes they produce, affirm to have been in *Staffordſhire*, and other places out of *London*, all the Month of *Auguſt*, from the fifth of *Auguſt*, to the fourteenth of *September*; whereas Dr. *Oates*, Mr. *Bedloe*, and *Sarah Pain*, depoſe, that they ſaw him in *London* within that time. To clear the Truth of this Particular, and to juſtifie the Evidence of Dr. *Oates*, and the reſt, the Teſtimony of Mr. *Jeniſon*

is a pregnant demonſtration, which I thought truly to deſerve my utmoſt diligence to bring to light; and in order thereunto, communicated the ſame to the Right Honourable the *Earl of Shaftsbury*, and by his appointment to Juſtice *Warcup*; before whom Mr. *Jeniſons* Depoſitions, and the Atteſtations of the worthy *Gentlemen* hereafter mentioned, were taken; and in whoſe hands, if not tranſmitted by him to the Clerk of his Majeſties Council, the Originals of the enſuing Papers are to be ſeen, and whoſe joint endeavours for the Diſcovery of the Truth in this, as well as other particulars relating to the Plot, deſerve an honourable mention.

The occaſion of what is here publiſht ariſing from ſeveral paſſages in the Trials of *Ireland*, and *Whitebread*, &c. thoſe paſſages are here *extracted* and preſented to the Readers view; that having the caſe before him, he may apply this evidence thereto; whereby his judgment will be clear.

The Reader will find this ſhort diſcourſe divided into three parts.

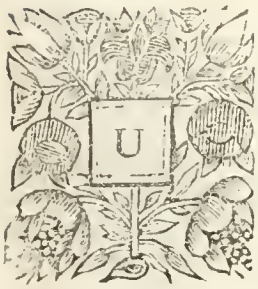
The Firſt relates the *means and manner* of obtaining the Letter and Depoſitions of that worthy Perſon, Mr. *Jeniſon*.

The Second exhibits the *Letter and Depoſitions*.

The Third, ſome *obſervations* thereupon, for the full ſatisfaction of all unbiaſs'd minds in the matter Controverted.

THE

THE NARRATIVE.



Upon the 15th. of *June* in this preſent year 1679. *Charles Chetwind* of *Weſtminſter* Eſq; had occaſionally ſome diſcourſe with a Gentleman till then unknown to him; to wit, Mr. *Griffith* of *Grayes-Inn*, Barriſter at Law, concerning the five Traitors that had been condemned the *Saturday* before, and their attempt to prove Mr. *William Ireland*, alias *Ironmonger*, lately executed for High-Treaſon to have been in *Staffordſhire*, and on his Journey thither from the 5th. of *Auguſt* 1678 till the 7th. of *September* following, and not to have been within that time in *London*, which as Mr. *Oates* and others, had upon his Tryal affirmed him to be there, about the 12th. of that Month, and to be returned thither again about the beginning of *September*: whereupon the ſaid Mr. *Griffith*, told Mr. *Chetwind*, that Sir *Michael Warton* of *Beverly* in the County of *York* Knight, a Worthy Member of the Honourable Houſe of Commons in the laſt Parliament told him, that ſince the execution of *Ireland*, Mr. *Jeniſon* (a Gentleman of very good Quality, and a Student in *Grays-Inn*, who was a *Romaniſt* till about *January* laſt) affirmed, that Mr. *Ireland* was in *London* about the middle of *Auguſt*, and that he was with him then at a Scriveners at the Sign of the *White-hart* in *Ruſſel-Street* in *Covent Garden*, which relation he confirm'd with ſeveral other notable circumſtances. Mr. *Chetwind*, having heard this, went to *Whitehall*, and there attending on the Right Honourable the *Earl of Shaftsbury*, Lord Preſident of his Majeſties Privy Council, acquainted his Lordſhip with what Mr. *Griffith* had told him; upon which, the ſaid *Earl of Shaftsbury* told Mr. *Chetwind*, that it would be very conſiderable, if it could be made out. Mr. *Chetwind* thus encouraged by the ſaid *Earl*, did by his order, make it his buſineſs the next morning, being *Tueſday June* the 16th. to find out Sir *Michael Warton*, and coming to the Coffee Houſe in *Covent Garden*, where Sir *Michael* uſed to be when in Town, Mr. *Chetwind* met there with Mr. *Ralph Marſhal* Secretary to the *Earl* of *Craven*, who upon diſcourſe told Mr *Chetwind* that Sir *Michael* lived at *Hampſtead* this Summer. Mr. *Marſhal*, underſtanding ſomething of the buſineſs for which Mr. *Chetwind* enquired after Sir *Michael*, ſaid, that Sir *Michael* had often related to him, and he was ſure he would juſtifie it, that the ſaid Mr. *Jeniſon* of *Grays-Inn* (who was lately come over to the Proteſtant Religion, a perſon of conſiderable quality, and Heir to a good Eſtate, his elder Brother being a prieſt, and in *Newgate*) told him, the ſaid Sir *Michael*, in the preſence of ſeveral other Gentlemen of Quality preſently after the execution of *Ireland* the ſeverall following particulars which they had hitherto taken no care to diſcover, becauſe they expected not that the evidence given in the Triall againſt him the ſaid *Ireland*, would after his execution come into queſtion or debate.

The Particulars were theſe.

That in the month of *Auguſt* 1678. when His *Majeſty* was at *Windſor*, Mr. *Jeniſon* going to *Windſor* on *Saturday* the 17th of *Auguſt* and returning the 19th, immediately upon his return that night, he went to give Mr. *Ireland* (the ſame perſon who was afterwards executed) a viſit, and found him at the Sign of the *Hart* in *Ruſſel-Street* in *Covent Garden*, and after a Salute, Mr. *Ireland* asked him ſeveral Queſtions, as, *What newes from Windſor? how his Majeſty ſpent his time? and what recreations he followed? and whither he walked abroad much, and how guarded?* to which Mr. *Jeniſon* anſwered that his *Majeſtie* delighted much in Hawking and Fiſhing, but moſt in the latter, which his *Majeſty* followed early in the morning with ſome few perſons attending him; upon which Mr. *Ireland* replyed, *I wonder his Majeſty is no better guarded, he were eaſily taken off*, whereupon Mr. *Jeniſon* ſaid God forbid, or words to that effect, which made Mr. *Ireland* ſtop his diſcourſe. Mr. *Marſhal* reporting this to Mr. *Chetwind* in preſence of Mr. *Aſh* and Mr. *Spicer*, two perſons of unqueſtionable reputation; Mr. *Aſh* replied, that he was laſt night in company with Mr. *Griffith*, and Mr. *Booth*, Son

to my Lord *De la More*, where he heard them diſcourſe of this very Buſineſs; Mr. *Booth* ſaying that he heard Mr. *Feniſon* ſpeak the ſame things, whereupon Mr. *Marſhall* undertook to go that very Day to *Hampſtead* to Sir *Michael Warton*, and give Mr. *Chetwind* an account of it the next Morning. Mr. *Aſh* and Mr. *Spicer* alſo, before Mr. *Chetwind* and they parted, having promiſed to go to Mr. *Booth*, met him, who juſtified every ſyllable of what he had ſaid, and withall, remembred very well that when Sir *Michael Warton* took ſome particular Notice of it, Mr. *Feniſon* ſeemed to be ſurpriſed, and was ſorry he had uttered thoſe Words, and began to recall them, as to the time only of *Ireland*'s being in Town: But ſays Mr. *Bowes*, (who was there preſent, a Perſon of Quality of *Grayes-Inn*, and well eſteemed in your Houſe) *Feniſon* you cannot retract your Words, for I have a Letter under your own Hand which will put you in mind of the Time, and repeats the very ſame thing.

The Fryday following being the 20*th*. of *June*, Mr. *Booth* and Mr. *Bowes* met with Mr. *Feniſon*, and diſcourſed the matter with him, who then owned all the Queſtions which *Ireland* asked him, namely, *What News at Windſor? how his Majeſty ſpent his time?* &c. But, ſays he, I deſire a days time to conſider, that I may be exact as to the Day when they were ſpoken; for ſeveral Perſons have told me of a great many out of *Staffordſhire*, who upon the Tryal of the 5 Traitors, *Whitebread*, &c. had proved Mr. *Ireland* to be in *Staffordſhire* from the 5*th* of *Auguſt* to the 7*th* of *September*; and therefore I muſt ſeriouſly conſider what time it was that I ſaw him in *London*; upon which they appointed to dine together on Saturday following, being the 21 of *June*. Which Day being come, there met Sir. *Michael Warton*, Mr. *Feniſon*, Mr. *Bowes*, Mr. *Booth*, Mr. *Griffith*, and Mr. *Marſhall*, and there they ſhewed Mr. *Feniſon* his Letter, which he acknowledged to be writ by his own Hand; and further told them, that upon the 15*th* of *Auguſt* he came to *London* from *Tunbridge*, that upon the 17*th* he went to *Windſor*, and upon the 19*th* he returned to *London* again, and either that Night or the next Day, he had this Diſcourſe with Mr. *Ireland* at the Sign of the *Hart* in *Ruſſel-ſtreet* in *Covent Garden*; further he related that on the 4*th* of *September* following he went from *London* into the North, returning back to *London* in the enſuing *November*, and ſo preſently after removed to *Reading*, from whence he writ the forementioned Letter of Mr. *Bowes*. This Confeſſion of his Mr. *Marſhal* took in Writing at that very Time (when they dined together) all of them being preſent, as alſo a true Copy of his Letter writ from *Reading*, both which he brought to Mr. *Chetwind* the ſame Night; immediately upon which Mr. *Chetwind* and he carried them to my Lord of *Shaftsbury*, his Lordſhip the next Day (being the 22*d* of *June*) communicating them to my Lord *Chancellor* and ſeveral others of his Majeſties Privy Council. The following Day (*viz. June* 23*d*.) Mr. *Chetwind* brought Mr. *Bowes* and Mr. *Marſhall* with the Original Letter to the *Earl of Shaftsbury*, before whom Mr. *Feniſon* acknowledged the Letter to be his own, with the circumſtances thereunto referring concerning Time and Place.

Theſe things will receive a ſufficient Confirmation if we do but ſeriouſly peruſe all the enſuing Informations taken before one of his Majeſties Juſtices of the Peace for the County of *Middleſex*; as you will ſee by his Subſcription at the Cloſe, as alſo the Subſcriptions of thoſe that gave the Informations.

The Information of Sir Michael Warton *Knight.*

About the month of *February* laſt Mr. *Bowes* and Mr. *Burnet* of *Grayes-Inn* and my ſelf, went to dine together at the *Mirmaid* at *Grayes-Inn Gate* in *Holborn*, whither Mr. *Feniſon*, an Acquaintance of Mr *Bowes*, accidentally came into the Room, ſo that we dined together; and upon general Diſcourſes at Dinner, we were talking of Mr. *Irelands* Tryal or Execution, whereupon Mr. *Bowes* begun the diſcourſe of a Letter he had from Mr. *Feniſon* which (he thought) if he had received timely enough might have very much cleared the Point of *Irelands* being in *London* in *Auguſt* laſt; Mr. *Feniſon* owned the Letter, and continued the Diſcourſe; ſometime after I ſaw the Letter, and by the reading judged it might have been very Material, the matter of the Letter being perfectly owned by Mr. *Feniſon*.

June 26*th* 1679. *M. Warton.*

The Atteſtation of George Booth *Eſq;*

I do atteſt this Matter that Sir *Michael Warton* has here atteſted. *George Booth.*

The

The Information of Mr. Burnet.

What Sir *Michael Warton* has here ſaid, I know to be true; the Day that Mr. *Jeniſon* went to *Windſor*, I do believe to be the 17*th* of *Auguſt* laſt, it was on a Saturday, the day of *Dochets* Horſe-race, for I met him riding to *Windſor* as I came from the Horſe-race. *W. Burnet.*

The Information of Robert Bowes *Eſq;*

About the latter end of *December* laſt I received a Letter from Mr. *Robert Jeniſon*, which a little time after I ſhewed to Mr. *Savill* and Mr. *Ewers* of *Lincolns-Inn*, and have now by me: Mr. *Jeniſon* hath owned it all along, and doth ſo ſtill. I have ſeveral times ſince diſcourſt with him upon it; I went to *Windſor* on the 12*th* or 13*th* of *Auguſt* laſt, and ſtaid a Night there, and from thence to *Henly*, where I ſtaid untill the 6*th* of *September* following or thereabouts.

June 26*th* 1679. *Rob. Bowes.*

The Information of Ralph Marſhal *Gent. is,*

That in or about the Month of *February* laſt, being in diſcourſe with Sir *Michael Warton*, concerning Mr. *Irelands* being about that time Executed, and concerning his denying his being in *London* in *Auguſt* laſt, Sir *Michael* told this Informant, That if Mr. *Ireland* were to be Tryed again, it would be proved that he was in Town in *Auguſt*, by Mr. *Jeniſon*, a Gentleman of Quality of *Grays-Inn*; Sir *Michael* then telling him alſo, what diſcourſe Mr. *Jeniſon*, and Mr. *Ireland* had at that time together, which diſcourſe is particularly mentioned in a Letter, in the hand of Mr. *Bowes* of *Grays-Inn*, which Letter I have read, and heard Mr. *Jeniſon* own to be his own hand Writing. And this Informant further ſaith, That he hath often heard Mr. *Jeniſon* ſay, that he believeth the time he had the diſcourſe with Mr. *Ireland*, mentioned in his ſaid Letter, was the 19*th* of *Auguſt* laſt, in the Afternoon, he being come that morning from *Windſor*, and that it was at one Mr. *Coymes* houſe, at the *White-Hart* in *Ruſſel*-ſtreet.

Ralph Marſhal.

Theſe Informations above written, were all Written and Subſcribed by the Parties above named, on the 26*th* of *June* 1679. Before us,

Edmond Warcupp.
Charles Chetwind.

Not to put you off with the *Informations* of Others, concerning Mr. *Jeniſons* Letter and Words, we ſhall in the next Place give you the true Copy of the *Letter*, and alſo of Two differing *Informations* of his, both of them full as much, if not more home to the purpoſe than what had been reported by others.

Mr. Jeniſons Letter from *Reading* in *Barkſhire*, upon his return from the North. To *Robert Bowes*, Eſq; Son to Sir *Francis Bowes*. (Mr. *Jeniſon* then being a Papiſt.)

Reading December 19. 1678.

SIR,

YOurs I have, bearing Date the 15th inſtant, and have not miſſed a Poſt I could ſend to you; I am not ignorant of the offer made by His Majeſties *Proclamation, and lay hold on nothing but Pardon for concealing that Circumſtance I have known ſo long; yet I did not altogether conceal it neither: for I told my* Cozin Smith *of it within Two or Three days of the breaking out of this damnable Conſpiracy, which how much it weighs I am not a fit Judg of; and I would not, were it to gain a Million, Nay, a Million of Worlds, if poſſible, draw the leaſt drop of innocent Blood upon me; for I know it is a crying ſin, therefore I pray God avert it from me. All that I can tell you, as I hope for forgivneſs of my Sins and Eternal Salvation, is, (if you will diſtinguiſh between the times) what follows.*

Being

Being come from Windsor, *where I promised my self the happiness and satisfaction of seeing you, that I might take my leave before my journey for the* North, (*which to the best of my Memory was about the latter end of* August,) *I went to do the same to* Mr. Ireland, *whom then,* (*with all the rest,*) *I did believe to be a man of the best Conversation and Life in the world,* (*for you know the Law does presume every man good until it be proved otherwise.*) *After my salute, and I had told him I had been at* Windsor, *his Interrogatory, or Question was,* what News? *My return was the usual no News,* but good; *then he proceeds to ask me to the best of my memory,* how his Sacred Majesty and the Court were diverted? *I replied, that I heard, his* Majesty *took much delight in Hawking and Fishing, but chiefly in the latter, which his* Majesty *followed early in the morning, as I heard, accompanied only with Two or Three Lords, or other Attendants:* I wonder, *said* Mr. Ireland, why his Majesty should be so thin Guarded, he were easily taken off or removed, *or some words to that purpose, so sounding; God forbid, I returned;* No, *subjoyns he,* I do not say it is Lawful, *and something else I cannot call to mind that did qualifie the former words, that I did then think his meaning was, he was then sorry his Sacred* Majesty *should go so weakly guarded; I then took it by that handle, having no other Reason; for I did believe him a Saint, never hearing him, nor any of them, as I hope for everlasting life, Defend or Maintain in the least,* That damnable Doctrine of deposing Kings; *But now I know that passage may be taken by the other handle; and I am not fit to judg how far, yet you know words are to be taken in the milder sense unless they be positive, which these, with their qualifications as they were spoken, are not. I suppose there is clearer Evidence from* Mr. Oates, *that better knew it than I. There is only another thing* (*and I have cleared my Soul,*) *has run in my fancy ever since this, ever to be detested Immergency happened, which applyed to these times has an ill sound with it; you know whom I accuse now,* Tho. Je. *but in other times is capable of a good Construction,* viz. *He had some business to acquaint me with, and this for two or three times at our parting; for I did not see him above Four or five times, as I remember the while I was in* London. *Once I urg'd him to tell me the business, he replied, he would take some other occasion; now I did believe he meant somewhat about my setling in the world as a Match, having propounded one to me of a* Knights *Daughter half a Year before, or of that sort of business; and 'tis capable of that Construction still, if there be no clearer Evidence to give a Luster and a great Light on the other side. We have a good Author that commands us to give unto* Cæsar *what is* Cæsars, *and to* God, *who is* Truth it self, *what belongs to him, which I would do to the dividing the minutest Atom in the presence of that* Truth *which made me. But I can now remember no more if I were to gain Heaven, unless my Cozin* Smith *put me in mind of a word or two more relating to one of these two passages, that now I don't remember, which I will own if I said it, otherwise not; for I will have nothing to do with their blood, further then what I can with a clear and safe Conscience swear, which I am ready to do, if sent for, as far as I have declared; I am in the mean while, Sir,*

Your assured Friend, and Faithful Servant,
ROB. JENISON.

This be pleased to shew to Collonel *Tempest*, our Knight of the Shire, or whom you please to acquaint with it.

POSTSCRIPT.

I Hear since I have writ this, that 4 of the *Jesuits* are Condemned, which if the included 2 be in, this might be spared, only for your satisfaction I send it; and what I have said in this Letter is all I can justly Swear except my Cozin *Smith* remember a word, or more about one of these passages, the former I mean; as for the latter, all what I have said is by all that's *Sacred,* (and I hope 'tis no offence to swear to the Truth) all, and some, I say, of what I know, if it were the last moment I have to live, I could confess no more.

The

The information of Robert Jenifon *of* Grays-Inn *Eſq*; *Son of* John Jenifon, *of* Walworth *in the County Palatine of* Durham, *Eſq*; *taken upon Oath this* 26th. *day of* June, 1679. *before me* Edmund Warcup *Eſq*; *one of his Majeſties Juſtices of the Peace, in the County of* Middleſex.

Mid. ff. This Informant ſaith, that he went from *London* to ſee *Windſor*, and to meet Mr. *Robert Bowes*, at or about the 17th. of *Auguſt* laſt paſt, and returned back to *London* the 19th. day of the ſame Month; on which day in the afternoon, he made a viſit to Mr. *William Ireland*, alias *Ironmonger*, at his Lodgings in *Ruſſel-Street*, who was this Informants Relation; at which time and place, he (this Informant) had the diſcourſe with the ſaid Mr. *Ireland*, mentioned and contained in this Informants Letter to the ſaid Mr. *Bowes*, and now ſhewed unto him, being all of this Informants own hand writing, dated at *Reading* in *Barkſhire*, on the 19th. day of *December* laſt paſt. And this Informant doth very well remember, that he went from *London* into the North, in the *York* Coach on the 4th. day of *September* laſt paſt, and came thence back to *London*, in *October* following; and thence went to *Reading* in obedience to his *Majeſties* Proclamation, from whence he wrote the Letter aforeſaid to Mr. *Robert Bowes*, and further at preſent ſaith not.

Jur. die & anno ſupr. dict. Cor. me Edm. Warcup. *Rob. Jeniſon.*

The further Information of Rob. Jeniſon *of* Grays-Inn *Eſq*; *taken upon Oath this* 2d. *day of* July, 1679. *before me* Edmund Warcup *Eſq*; *one of his Majeſties Juſtices of the Peace, in the County of* Middleſex.

Mid. ff. This Informant ſaith, that he being returned from *Windſor* upon the 19th. day of *Auguſt* laſt, went to Mr. *William Ireland*'s Lodging in *Ruſſel-Street* in *Covent-Garden*, to viſit him; and paſſing through the Entry, went directly two pair of Stairs to the ſaid Mr. *William Ireland*'s Chamber, the Door whereof being ſomewhat open, he entred, and there found the ſaid *William Ireland*, whom this Informant having told, that he came juſt then from *Windſor* upon a Hackney Horſe, hired at 3 *s. per diem*, which had much tired him; the ſaid *William Ireland* replied, that he was then newly arrived from *Wolverhampton* in *Staffordſhire* by Poſt, and was not weary; Upon which this Informant replied, that he thought that Scholars, as he was, had rather chooſe to ride ambling Horſes, than to ride Poſt.

And this Informant further ſaith, that he very well remembers, that about the beginning of *October* laſt paſt, Sir *Edward Smith* came to *Walworth* in the County of *Durham*, and then read a Letter newly come from *London*, purporting the diſcovery of the Plot, and that the *King* was to have been killed at *Windſor*; which made this Informant call to mind the expreſſions of the ſaid *William Ireland*, on the ſaid 19th. day of *Auguſt*, viz. *Why his Majeſty ſhould be ſo thin guarded, he was eaſily taken off or removed*, or words of that ſounding, *&c.* And thereupon this Informant did the next day after the reading of the ſaid Letter, relate all the paſſages between this Informant and the ſaid Mr. *Ireland*, to this Informants *Father*, and the ſaid Mr. *Smith*, as they are contained in this Informants Letter to Mr. *Bowes*, dated on the 19th. day of *December* laſt; and ſo the ſaid Mr. *Smith* hath lately by Letter ſignified to the ſaid Mr. *Bowes*. And this Informant further ſaith, that in the year 1678. ſeveral Papiſts have in this Informants hearing declared, that they doubted not, but their Religion would ſhortly be uppermoſt, or to that effect; And further at preſent he ſaith not.

Obſervations deducible from the aforeſaid Letter *and* Teſtimony, *and from the manner of obtaining the ſame.*

1. It is a remarkable inſtance of Divine providence, that this latent evidence caſually diſcovered to Mr. *Chetwind* (when he had not known or heard of Mr. *Jeniſon*) ſhould be thus recovered by him; and that in his purſuit thereof, ſo many worthy Perſons likewiſe unknown, ſhould accidentally occur to him, and contribute their great aſſiſtance.

2. The aforeſaid Mr. *Jeniſon* at the writing of his Letter to Mr. *Bowes* was of the *Romiſh Church*, and in obedience to the Kings Proclamation for Baniſhing Papiſts out of *London*, had retired from *London* to *Reading*, ſo that the Diſcovery made by his Letter cannot rationally be imputed to any other inducement, or incitement, ſave only the Power of Truth; eſpecially conſidering that Mr. *Ireland* was related to him.

3. The main Plot is evidently confirmed, not only by the Papists expecting some great Change and Alteration, mentioned in one of Mr *Fenisons* Informations, given in upon his Oath, but also by those suspicious Questions proposed by the said *Ireland* to Mr. *Fenison* after his return from *Windsor* to *London*, as, *What news from Windsor? How is the King guarded?* And especially those Dangerous Words of his, *Then he may easily be taken off*, or to that effect; which do sufficiently argue, not only his being Privy to the Design, but go far to prove his being an Instrument therein.

4. For the Readers fuller satisfaction concerning this Subject, these Particulars are to be noted, *viz.*

That the King went to *Windsor* about the 13*th* of *August* 1678. as appears by Sir *Tho. Dolemans* Testimony at the Tryals.

That Mr. *Fenison* came from *Windsor* the 19*th* of *August*, and went into the *North* the 4*th* of *September* following.

As to the Latter, his going into the *North*, the Books of Entries of Passengers in the *Northern* Coach have been examined, and the 4*th* of *September* is found to be the very day he took Coach for the *North* at *London*; his going to *Windsor* is proved by Mr. *Burnet*, who met him the 17*th* of *August* as he came from *Dochets* Horse-race, which was on that day.

That Mr. *Fenison* in his Letter writes thus, *Being come from Windsor, I went to take my leave of Mr. Ireland before I took my journy into the North, and Mr. Ireland asked me what News from Windsor? How does the King pass his time?* &c. Which notoriously proves, that his Discourse with Mr. *Ireland*, was when the King was at *Windsor*, and also that it was after Mr. *Fenison* came from *Windsor*, and before he went into the *North*, *viz.* betwixt the 19*th* of *August* and the 4*th* of *September*, and it implies that it was immediately after his coming from *Windsor*, by the question, *What news from Windsor?* and seems also to intimate, that Mr. *Ireland* had not long been in *London*, as being eager of News from *Windsor*, which at that time he might if resident in *London* have had every 2*d* Day by *Bedingfield's*, and other Letters. That this time does nearly agree with *Sarah Fam's* Evidence at *Irelands* Trial, who swears that she saw *Ireland* [illegible] in *London* [illegible] the Time the King went to *Windsor*; and there is not above 5 or 6 Days difference, see *Whitebreads* Trial, *Fol.* 87. There as *Gavan* repeats their Evidence, Sir *Jo. Southcot* and his Family staid with *Ireland* till the 19*th*. which 19*th* was the very day he came Post from *Staffordshire* to *London*, and was seen by Mr. *Fenison*.

That *Ireland* was [illegible] the 17*th* of *December*, and Mr. *Fenisons* Letter was writ from *Reading* the 19*th* [illegible] and it is clear by the Letter, that Mr. *Fenison* had then no notice of *Ireland* [illegible] ryed.

That Mr. *Smith* (a Priest) hath since by his Letter to Mr. *Bowes* confirmed the Truth of what Mr. *Fenison* relates, *viz.* That he told his Father and Him at his Fathers House at *Wakworth*, immediately upon the first Discovery of the Plot those very Words Mr. *Ireland* had spoken to him; then certainly it remains scarcely possible to imagin that unless the matter were exactly true, Mr. *Fenison*, a Gentleman of a very fair Temper and Sober life, should report such Words as delivered by Mr. *Ireland*, his Kinsman, and a Kinsman very dear in his esteem, and report them to his own *Father* old Mr. *Fenison* and Mr. *Smith*, and that at that time when they were all *Romanists*, and *Ireland* highly valued by them all; nor is it less absurd to conceive, that Mr. *Smith*, as is said, a Priest as *Ireland* was, should confirm the Words of Mr. *Fenison*, so long after spoken, and that when to witness to them, was even to cut the throat of *Irelands* Reputation and Truth, and give a very severe stab to the *Romish* Cause. Certainly the thing seems to look as if writ with a *Sun-beam*.

5. It appears then an undeniable Truth, that Mr *Ireland* was in *London* the 12*th* or 13*th* of *August* 1678. and thence taking a journey into *Staffordshire*; he returned and was seen in *London* and discoursed by Mr. *Fenison* the 19*th* of the same Month, from whence 'tis probable, having transacted something of *the Matter in Hand*, he might immediately return.

Neither do I know any rational Objection against the clearness of the truth evidenced thereby, unless the three following Objections weigh with some.

Obj. 1. The credit and quality of some of the Witnesses, who testifie, they saw Mr. *Ireland* in *Staffordshire* on those Days, wherein he is affirmed to have been in *London*.

Ans. To this I shall only answer, that the Credit of the Witnesses, of both sides may be so far salved, as tis possible to affirm, one and the same person may be in *London* and *Staffordshire* some part of the same Day; the distance being not so great betwixt both

Places,

Places, but the journy (especially by Post) may be easily performed; neither is it improbable, that Mr. *Ireland*, who was so actively concerned in the Plot, and in the nature of a Treasurer therein, should have frequent occasion to travel by Day and by Night betwixt *London* and *Staffordshire*, his Presence being equally necessary to both places, especially in such a critical time of Expectancy, as that of the Kings *being* at *Windsor* then was. Add hereunto, that Mr. *Ireland* himself confessed in his Discourse with Mr. *Jenison*, that he had rode post from *Staffordshire* to *London* that day, yet was not weary: a journey, which many other Persons have performed in less then the space of one Day, part of the Night being also, in that usually very hot month of *August*, more convenient for travelling then the Day; now if such a Journey were undertaken by *Ireland* one day? why not another? why not many days, according as the Urgency of his grand Affairs, and the teeming pregnancy of them might require?

Obj. 2. If this Evidence be true, why was it not produced before; or at the Tryal of *Whitebread*, &c. being so material for the clearing of the Truth?

Ans. The matter was a long time kept secret in the Breasts of young Mr. *Jenison* and his Father, being both (*then*) Romanists, and *Smith* a Priest, and secured from the knowledge of any Protestant; neither did Mr. *Bowes* receive Mr. *Jenisons* letter of Discovery (though often pressed by him to declare his Knowledge, upon the Kings Proclamation of Pardon) till *December* 19*th* 1678. which was two days after the Tryal of *Ireland*; Now the matter having received it's Determination in the Arraignment and Condemnation of the said *Ireland*, no probability appearing, that it would be again resumed and reinsisted on, no further Divulgation was made thereof; And unless new provocation had been given by reviving the matter at *Whitebreads* Tryal, it had possibly lain asleep for ever; so that what of Indecency may be imputed in combating the Ghost of the deceased is more properly referrable to the importunate arguings or instances of his surviving Friends, then then even to the just Vindication of the Truth.

Obj. 3. The confident asseveration of the said *Ireland*, and the solemn protestation of his innocency, and of his continuing in *Staffordshire* the days he was alledged to be here in *London*, shall have the room of the third and last objection.

Ans. 1*st*. I confess this had not a little influence upon me; for I acknowledge my self subject to the compassionate sentiments of humane nature; but the same evidence above mentioned which convinced me, will I doubt not, banish all hesitation as to this matter from the minds of others, except of those, who out of guilt or interest are resolved to shut the door against all kind of satisfaction whatsoever.

2. How far equivocations, falsities, mental reserves, and other *Salvoes* may be allowed, even to dying persons, in the *Roman Church*, provided they contribute to the advancement of the *Catholick* Cause, as they phrase it, would require a large field of discourse; but the clearness of the Evidence justifying Mr. *Ireland*'s being in *London*, notwithstanding *his* and his witnesses affirmations to the contrary, doth give just ground of scruple, that a large freedom is allowed to them on that account; but it would be too tedious to turn over the Popish Casuists, for the deciding of that controversie; leaving therefore the Scholastical and skirmishing part to abler pens, I shall content my self to exhibit one passage (relating to the matter in hand) mentioned in a Book called the *Jesuits* Catechism, composed (almost 60 years since) by a Member of the *Roman Church*, but not of the *Ignatian* Order. His words mentioned, *lib.* 3 *Cap.* 12. at the end of that Chapter are these. *They* (says he, speaking of the *Jesuits*) *have a rule in practice, that men are bound to accuse themselves to their Confessors, and not themselves only, but all their Confederates also; and* (*for the Magistrate*) *the Malefactor being condemned to die, after he hath once made Confession of his sins to his Ghostly Father, he is not tied to reveal it to his Judge, nay it is lawful for him to stand in stiff denial thereof at the time of his Execution, as being clear before God, though he persist in a lie, after he hath once discharged the depth of his conscience to his Confessor. A thing* (*that the same Author subjoyns*) *that breedeth much scruple in the mind of a Judge, who otherwise is greatly quieted in conscience, when an offender adjudged to die, howsoever he have beforetime stood in denial of the Fact, yet at the time of his death confesseth the Truth.*

An Abstract of the Material Passages *at the Trials of Mr.* Ireland *and Mr.* Whitebread, *relating to Mr.* Ireland's *being in* London *about the middle of* August 1678. *tending to clear much of the matter of Fact mentioned in the foregoing Papers.*

The things for which *Ireland* was indicted, were, *The conspiring the King's Death; also, That he did indeavour and contrive to change and alter the Religion established in the*

the Nation, and introduce Popery in the room of it. (pag. 13. of *Ireland*'s Trial) And in order thereunto that *Pickering* and *Grove* ſhould aſſaſſinate the King (p. 19.) which Reſolve *Ireland* ſigned about the 24*th* of *April* 1678. (p. 19, 20.) *Pickering* and *Grove* failing, in *Auguſt* following, Mr. *Ireland* and others met at *Harcourt*'s Chamber, and their held a cloſe Conſultation how to accompliſh their Deſign of killing the King, which they determin ſhould be by Four Ruffians, whom they actually hire and diſpatch away to *Windſor*, in order to the accompliſhing that moſt Barbarous and moſt Treaſonable Project: where Dr. *Oates* ſaw Mr. *Ireland* preſent. (*p.* 26. and 40.) The Ruffians alſo failing to kill the King at *Windſor*, they determin, That *Pickering* and *Grove* ſhould go on, and that *Conyers* ſhould be joyned with them, to Aſſaſſinate the King in his Morning-walks at *New-Market*; this they had taken ſo ſtrongly upon them that they were very eager to accompliſh it. (*p.* 41.) Theſe things *Ireland* was accuſed of by Mr. *Bedloe*; Dr. *Oates* affirming that he took his leave of Mr. *Ireland* in his own Chamber between the Twelfth and Four and twentieth of *Auguſt*, *Ireland* being then Writing a Letter as Dated from St. *Omers*, and that afterward when Dr. *Oates* went to *Fenwicks* Chamber, *Ireland* came thither alſo; ſo that he ſaw him twice about a Fortnight within *Auguſt*. (p. 60.) *Sarah Pain* Confirmed both their Evidence by Swearing that ſhe ſaw him about the ſame time at the Door of his own Houſe: (*p.* 57.) Theſe things Mr. *Ireland* denys, and indeavours to diſprove their Evidence only as to time, becauſe not in *London* in *Auguſt* laſt, (*i. e.* in *A. D.* 1678.) but in *Staffordſhire*; (*p.* 46. and 56.) and this he attempts chiefly to prove againſt Dr. *Oates*, in Order to the Nullifying his Evidence, and ſo conſuently affirms himſelf not in *London*, for the whole of that *Auguſt*, this he offers to prove by Twenty Witneſſes, (*p.* 44. and 56.) and ſays, Firſt, he would indeavour to prove that there was not Two Witneſſes againſt him; for that which Mr. *Oates* ſaid of his being at *Harcourts* Chamber in *Auguſt*, was falſe for he was all *Auguſt* long out of Town in *Staffordſhire*; upon the Third Day he went down to *Staffordſhire*, with my Lord *Aſton*, and his Lady, and his Son, and Sir *John Southcot*, and his Lady; and ſaith he, all theſe can Teſtify that I went down with them, here is Mr. *John Aſton* in Town, if he may be found, who was in my Company all *Auguſt* in *Staffordſhire*, (*p.* 56.)

But to ſave him that Labour, the Kings Evidence offered to prove that he was in Town at that time, for which they Swore *Sarah Pain*, who affirmed ſhe knew Mr. *Ireland*, and that ſhe ſaw him in Town in *Auguſt* laſt at his own Houſe, (which was at a Scriveners in *Ruſſel-ſtreet* in *Covent Garden*) about a week before ſhe went with my Lord *Arlington* to *Windſor*, which was about a week after the *King* was gone thither; which Sir *Tho. Doleman* ſaid, was about the 13*th* of *Auguſt*. How ſhe knew him, was, becauſe he came often to her Maſters houſe, that was Mr. *Groves*, the Perſon Condemned with him, averring that he was the Man that broke open the Pacquet of Letters, That her Maſter carried about afterwards; and he Sealed all the Pacquets that went beyond the Seas, and he opend them ſtill when the Anſwers returned them back again. *p.* 57.

Againſt whoſe Evidence he oppoſed that of his Siſter *Ann Ireland*, and his Mother *Elinor Ireland*, who both ſaid, that on *Saturday* the Third of *Auguſt* he ſet out to go into *Staffordſhire*, and he continued there till it was a Fortnight before *Michaelmas*, which (ſays the Siſter) I remembered by a very good Circumſtance, becauſe on the *Wedneſday* before, my Brother, and my Mother and I were invited out to Dinner, we ſtaid there all night, and all *Thur'day* night, and *Friday* night my Brother came home, and on *Saturday* he ſet out for *Staffordſhire*. p. 58, 59.

Sarah Pain being again asked, if ſhe was ſure that ſhe ſaw him in the Place ſhe mentioned, and about the time? She anſwered, yes, I am ſure I ſaw him at that very Place and at that time; but Mr. *Ireland* then confidently profeſſed he never knew her, although ſhe was Mr. *Groves Servant*, and uſed to carry him Letters from her Maſter's; his words are, *I profeſs I do not know her, 20 people may come to me, and yet I not know them, and ſhe having been* Mr. Groves *ſervant might have brought me Letters, and yet I not remember her.* p. 58, 59.

But my *L. C. Juſtice* thus recapitulates *Sarah Pains* Evidence againſt him: ſhe ſays that ſhe ſaw you in *London* about the 10*th* or 12*th* of *Auguſt*, and ſhe makes it out by a Circumſtance, which is better Evidence, then if ſhe had come and Swore the preciſe day wherein ſhe ſaw you; for I ſhould not have been ſatisfied, unleſs ſhe had given me a good account why ſhe did know it to be ſuch a Day. She does it by Circumſtance, by which we muſt calculate ſhe ſaw you about the 12*th* or 13*th* day; ſhe went to my Lord *Arlingtons* at ſuch a day, a week after the *King* went to *Windſor*, and that was about the

13th,

13*th*, and ſhe ſaw you a week before ſhe went to my Lord *Arlingtons*, which muſt be the 12*th* or 13*th*. You ſay you went out of Town the 3*d* of *Auguſt*, who can Swear you did not come back again? To which *Ireland* ſays, all the houſe can teſtify I did not come to my Lodging; his Mother alſo affirmed it, but they were Parties. *p.* 59.

Dr. *Oates*, here comes in with his Information, and reports it to my Lord *C. Juſtice* thus.

My Lord, whenever we had a mind to come to Town, we commonly writ our Letters, and let them come to Town two days after us; ſo that we might prove by the Writing of ſuch Letters, if any Queſtion did ariſe, that we could not be at ſuch a Place at a ſuch time; And when we pretended to go into the Country, we have gon and taken a Chamber in the City, and have had frequent Cabals at our Chambers. There Mr. *Ireland* writ a Letter as Dated at St. *Omers*, when I took my leave of him at his own Chamber, which was betwixt the 12*th* and 24*th* in *London*; he was there; and afterwards when I went to *Fenwicks* Chamber he came thither, a Fortnight or Ten Days at leaſt, I am ſure it was in *Auguſt*.—— *p.* 60.

Upon which, and what went before my Lord *Ch. Juſtice* Reflects as follows.

Here are 3 Witneſſes upon Oath about this one thing: Here is Mr. *Bedloe*, that Swears the Fact upon which the Queſtion ariſes to be in *Auguſt*; that you deny, and ſay you were out of Town then; he produces a Maid here, and ſhe Swears that about that time, which by Calculation muſt be about the 12*th* or 13*th*, ſhe ſaw you going into your own houſe. And here is a 3*d* Witneſs, who Swears he knows nothing of the matter of Fact, but he knows you were in Town then, and that he took his leave of you as going to St. *Omers*. *p.* 60.

In the next place *Ireland* produceth one *Harriſon*, a Coachman, to teſtifie that he was in his Company from the 5*th* of *Auguſt* to the 16*th*, and at that time he was with him 3 or 4 days at my Lord *Aſtons* Houſe at *Tixall* in *Staffordſhire*, *p.* 62. [In which time Mr. *Ireland* might eaſily ſteal a Journey to *London*, and return without notice being taken of it; and this might be the time in which *Sarah Pain* ſaw him.] Alſo *Harriſon* affirmed that he was with Mr. *Ireland* at *Weſtcheſter*, and that there he left him; [And here let it be remembred that Mr. *Ireland* confidently averred himſelf to be in *Staffordſhire* all *Auguſt*, *p.* 56. and one of his own Witneſſes declared him to be even in another County, which he granted to be true, but came off with this Evaſion, in *Staffordſhire or thereabout*. *P.* 61, 62.]

You may here take a view of Irelands *Dying Words, concerning the thing in Hand, delivered* January 24. *at the Common Place of Execution.*

We are come hither upon the Theatre of the World, and we do conceive we lye under an obligation to ſpeak. And 1*ſt* we do confeſs that we do pardon all and every one whatſoever that had any Intereſt or Concern, or Hand in the taking away our Lives. 2*dly*. We do here profeſs and acknowledge, we are obliged, that if we were Guilty of any Treaſon, or knew any Perſon faulty therein, although he were our Father, we would detect and diſcover him. And as for our Selves, we would beg a thouſand and a thouſand Pardons both of God and man; but ſeeing we cannot be believed, we muſt beg leave to commit our ſelves to the mercy of Almighty God, and we hope to find a pardon of Him.

As for my own Part, having been twenty years out of *England*, and then coming over, I was reſolved to take a Journey into *Staffordſhire*; and ſetting out in *Auguſt*, and not returning back to this Town untill before the 14*th* day of *September*, as many Witneſſes can teſtifie: for I believe an hundred or more ſaw me there; Therefore now, how in this time we ſhould be accuſed of Treaſonable Stratagems, I do not well know or in any wiſe underſtand.

Thus much out the Tryals of Ireland, *&c.*

But becauſe Mr. *Ireland*'s not being in *London*, from about the beginning of *Auguſt* till about the beginning of *September*, *A. D.* 1678. is urged and proſecuted with more importunity in the Tryals of *White* alias *Whitebread*, &c. I ſhall here preſent you with the whole that referred to this matter, as debated in the Court, only leaving out every thing that had not a ſpecial Reference to the thing Intended, to wit, the Proving Mr. *Ireland* out of Town for the whole forementioned time.

Whitebread. My Lord, I have only this, and I deſire to be heard in this point, to prove that Mr. *Oates* was miſtaken in his Evidence that he gave at the laſt Tryal againſt Mr. *Ireland*.

L. C. J. Look you. I muſt break in upon you; you have been told ſo often, all of you have been told it, and yet you are upon the former Trials again. You are now upon your tryal for your Life, if you could have diſproved any thing that he ſaid at a former Tryal, you ſhould have taken a legal way and convicted him of Perjury; but now to charge him with a Printed paper is not fair. You muſt ſpeak to what he ſays now.

Whitebread. He ſays the ſame now. But all that I ſay is this, if he be not honeſt, he can be witneſs in no caſe. I ſuppoſe if any one can prove him not *Probus Teſtis*, his Teſtimony is not to be received in any caſe.

L. C. J. But how will you prove that? Come on, I'le teach you a little Logick: If you will come to contradict a Witneſs, you ought to do it in a matter which is the preſent debate here; for if you would convict him of any thing that he ſaid in *Irelands* Tryal, we muſt try *Irelands* Cauſe over again. But if you will ſay any thing againſt what he ſays now, do.

Whitebread. That which I would aledge is this, if he be convicted of Perjury in one Caſe, he is not to be believed in another.

L. C. J. You ſay right, if he be convicted.

Whitebread. He is not only then an incompetent Witneſs, for he cannot be ſaid to be *Probus Teſtis.* but he is *Improbus.* Now this is that I can prove.

Mr. *Juſt. Pemberton.* Nay, you muſt ſhew it by a Record.

L. C. J. You cannot have ſo little underſtanding, you that have been, and were to be ſo great a Man among them, had been Provincial, and was to have been ſomewhat elſe. I have told you already that to prove him to be a man that hath no Faith in him he muſt be convicted. You muſt have indicted him, and convicted him, of the thing wherein he did commit Perjury, and then he had been prepared to juſtifie himſelf. But ſhall you come now, and at this your Tryal, and prove what he ſaid at *Staley*'s Tryal, and *Colemans* Tryal, and *Irelands* Tryal? And muſt we examine what matters have receiv'd a Verdict and a Judgement there? for conſider what will be the conſequence of it; if it ſhould be falſe, you there arraign a Verdict: You ſhould have convicted him of the falſhood firſt.

Whitebread. I deſire the Jury to take notice, that he does not ſtick to the Teſtimony that he gave then, for if he does it was falſe.

L. C. J. They muſt not take notice of any thing that was done at a former Tryal, unleſs it be ſpoken of now. *P.* 69.

L. C. J. North. Do not call any witneſſes to prove what he ſaid then, but to diſprove what he hath ſaid now.

Harcourt. Mr. *Oates* did accuſe me of paying Fourſcore pounds at my Chamber, and he did ſay afterwards it was at *Wild-houſe.* I have Perſons to juſtifie what was done at my own Chamber; and he ſays, Mr. *Ireland* was by; now here are Witneſſes to prove that Mr. *Ireland* was in *Staffordſhire* all the month of *Auguſt*, therefore he could not be preſent. *P.* 70.

Mr. *J. Pemberton.* That was urged before; pray do not inſiſt upon that, it hath received a Tryal.

L. C. J. I'le tell you what he ſays, and I'le ask him the queſtion: Dr. *Oates*, it is ſuppoſed by your Teſtimony, that Mr. *Ireland* and Mr. *Harcourt* were together when this Fourſcore pounds was paid, for the Villains that went to *Windſor* to murther the *King.*

Dr. *Oates.* I never ſaid ſuch a word. *Harcourt.* Here it is in the Tryal.

L. C. J. I ſtand not by the Printed Tryal, it is no Record in Law. In ſhort, Were Mr. *Ireland* and Mr. *Harcourt* together at that time? Dr. *Oates.* No, they were not.

Garvan. He did then ſay, that he did receive of Mr. *Ireland*, the 2*d* of *September*, 20*s.* that he borrowed of him: now the 2*d* of *September* he was at *Boſcobel.*

Dr. *Oates.* My Lord, I was not poſitive as to the Day; but as near as I remember (thoſe were the words I ſaid) it was the 2*d* of *September*; but whether it was the Firſt, Second, Seventh, Eighth or Ninth, I would not be poſitive in it.

Then the Priſoners called Pendrel *and his Wife, and* Gifford *and his Wife; and* Gifford *ſtood up.*

Gifford. My Lord, I was here the laſt Seſſions, where I did teſtifie the Seeing of Mr. *Ireland* in *Staffordſhire* on the 24*th* of *Auguſt*, *Bartholomew-day*, and the next day after; at which time Mr. *Oates* ſaid that he ſaw him here in *Town.* But Mr. *Oates* could not be particular in every thing; but at laſt he came to a circumſtance, and averred that the firſt or ſecond of *September* he did receive 20*s.* of Mr. *Ireland* in *Harcourts* Chamber; he ſaid it was about the Faſt-day. Dr. *Oates.* That was as near as I remembred. *Gifford.* Here is in Court at leaſt ſix People that know it; I ſaw him ſeveral other of thoſe days there; but theſe ſix People converſed with him every day.

Mr. *J. Pemberton.* How do you know all that?

L. C. J. North. Come, come, you muſt not ſpeak as to what he ſaid in *Irelands* Tryal.

L. C. J. What time was it that Mr. *Harcourt* and Mr. *Ireland* conferred together about this ſame buſineſs?

Dr. *Oates.* My Lord, I do not charge *Ireland*, but I charge *Harcourt* with being at *Wild-houſe*, and that there *Coleman* met him, and that there was greateſt part of the money, which was carried back to *Harcourts* Chamber, and given to the perſon that was to carry it down to *Windſor*; but Mr. *Celeman* was gone away before, and had left a *Guiny* behind him, which was given to the meſſenger for Expedition.

L. C. J. I am miſtaken if you have not teſtified that *Ireland* was in Town in *Auguſt* and *September* with *Harcourt.* Dr. *Oates. Ireland* took his leave of *London* betwixt the 8*th* and 12*th* of *Auguſt*, as to go to St. *Omers*, *p.* 71.

Lord

Lord Ch. Juſt. Here is the matter, they muſt have right, though there be never ſo much time loſt, and patience ſpent: ſay they, we muſt prove and contradict men by ſuch matters as we can; People may ſwear down-right things, and 'tis impoſſible to contradict them; but we will call witneſſes to prove thoſe particulars that can be proved: ſay where Mr. *Ireland* was in *Auguſt?* Dr. *Oates.* He took his leave of us in Town in *Auguſt*, and that was between the Eighth and Twelfth at *Harcourts* Chamber

L. C. J. What do you infer from *Irelands* being there then? Dr. *Oates.* I'le tell you what I deſign in it; your Lordſhip may perceive that I did methodize my Evidence according to the time; for I ſaid this was our buſineſs in *April*, this in *July*; and now we come to the buſineſs of *Auguſt*, ſaid I, we took our leaves of Mr. *Ireland* between the eighth and twelfth. I ſaid in *July* Mr. *Fenwick* was out of Town, but then if your Lordſhip remembers I ſaid he was in Town, and took his leave of Mr. *Ireland* between the eighth and the twelfth of *Auguſt*.

L. C. J. Was Mr. *Ireland* in *Fenwicks* company at that time in *Auguſt*? Dr. *Oates.* Yes my Lord he was when he took his leave.

L. C. J. Did they talk then of this buſineſs. Dr *Oates.* They took their leaves one of another, but as to what particular things of the Plot they ſpoke about, I do not remember.

L. C. J. Look you now, mind what he ſays, *Ireland* and *Fenwick* were together in *Auguſt* between the eighth and the twelfth, but being aſked, Whether they were met on purpoſe to talk of the Plot? he ſays he does not remember the Particulars.

Here the Lady Southcot, *her Son, and her Daughter, were called.*

L. C. J. Did you ſay that *Fenwick* there at the Bar, had converſe with *Ireland* in *Auguſt*, for the carrying on of the Plot? Dr. *Oates.* Yes, my Lord.

L. C. J. My rule is this in doubtful caſes; when men are upon their Lives, I had rather hear what is impertinent, than not let them make a full defence.

L. C. J. North. I had rather hear things at a venture, than forbid things at a venture.

Lady Southcot *ſtood up.*

L. C. J. How long were you in Mr. *Irelands* company?

Lady Southcot. From the fifth of *Auguſt* to the ſixteenth.

L. C. Juſt. What every day? *Lady Southcot.* Yes every day.

Dr. Oates. My Lord, here is *Sarah Pain*, who before hath teſtified what ſhe hath known in this matter. If your Lordſhip pleaſe, I deſire ſhe may be called in readineſs to ſpeak to it.

L. C. J. Are you ſure it was the fifth? *Lady Southcot.* Yes, as ſure as I can be of any thing.

Mr. *Recorder.* Dr. *Oates*, you had beſt keep your Evidence intire till the laſt.

Then Sir Jo. Southcot *was called, and appeared.*

L. C. Juſt. Did you know Mr. *Ireland*? Sir *Jo. Southcot.* Yes, I did know him by face.

L. C. J. Where did you ſee him? Sir *Jo. Southcot.* I ſaw him the *5th.* of *Auguſt* at St. *Albans.*

L. C. J. And did he travel along with you?

Sir *Jo. Southcot.* Yes, he did travel along with us, the ſixth, ſeventh, eighth, and ninth.

L. C. J. How many days did he travel along with you?

Sir *Jo. Southcot.* He travel'd along with us, four days together, I am ſure. *P.* 72.

L. C. J. What from the fifth to the ninth? Sir *Jo. Southcot.* Yes, Sir.

L. C. J. Is this all that you can ſay? Sir *Jo. Southcot.* Yes, my Lord.

L. C. J. But we would know where he was afterwards; did you ſee him after the ninth?

Sir *Jo. Southcot.* My Lord, I ſaw him at St. *Albans*, and we went from thence to *Northampton*, and from thence to *Coventry*, and from thence to my Lord *Aſtons*, that is four days; and I ſaw him *Thurſday*, I ſaw him *Friday*, *Saturday*, and *Monday* following: *Tueſday*, I had occaſion to go further into the Countrey, and he went along with us; ſo I ſaw him *Tueſday*, *Wedneſday*, *Thurſday*, and *Fryday*, afterwards.

L. C. J. Why then, you ſaw him at leaſt twelve days? Sir *Jo. Southcot.* Yes.

L. C. J. Have you any more. *Then Mr.* Edward Southcot *ſtood up.*

L. C. J. Were you here, when *Ireland* was tried? Sir *Jo. Southcot.* No.

L. C. J Did you ſee Mr. *Ireland* in *Auguſt* laſt?

Mr. *Southcot.* The third of *Auguſt*, he came down to my Lord *Aſtons* at *Stanmore*, they ſaid ſo; but I cannot ſwear he came that night, but I ſaw him very early the next morning; the *5th.* we went to St. *Albans*, and we kept on till we came to *Tixall*, and I was in his company from the *4th.* to the *16th.*

L. C. J. Why, you hear what he ſays, he was in Company with him every day from the *4th.* to the *16th.*

Gavan. Call Mrs. *Harewell* and her daughter, Mrs *Gifford*, and Mrs. *Penárel.*

Then Mrs. Harewell *ſtood up.*

L. C. J. Did you ſee Mr. *Ireland* in *Auguſt* laſt? *Harewell.* I ſaw *Ireland* in *Auguſt* laſt, the *17th.* day; he came then to my houſe at *Wolverhampton*, and there he continued every day, and lay in my houſe every night till the *26th.* day. *Then young Mrs.* Harewell *ſtood up.*

Harewell. Mr. *Ireland* came to our houſe in *Staffordſhire* the *17th.* of *Auguſt*, and ſtayed there till the *26th.* I ſaw him every day, unleſs it was *Friday*, the day before *Bartholomew*-day, when he went to *Litchfield*, and returned again. *Gavan.* My Lord, there is a Priſoner now in *Newgate* that can teſtifie the ſame.

L. C. J. North. Would you ask your fellow if you be a Thief? he is in for the ſame offence.

Gavan. My Lord, I deſire to know, if a man be not convicted of the ſame offence, whether he be not a good witneſs?

L. C. J. North. If he ſtand charged with the ſame Plot, his Evidence is of little weight.

Then Eliſabeth Keiling *ſtood up.*

L. C. J Did you ſee Mr. *Ireland* in *Auguſt*? *Keiling.* Yes, my Lord, I did. p. 73.

L. C. J. Where did you ſee him? *Keiling.* I ſaw him at *Wolverhampton*, there he was from *Saturday* the *17th.* to *Monday*, and then I went to ſee my Mother, and came back again on *Thurſday*, and found him there, and there he was till the *26th.* *Then ſtood up Mr.* Gifford.

L. C. J. When did you ſee Mr. *Ireland*? *Gifford.* My Lord, Mr. *Ireland* came to *Wolverhampton* the *17th.* of *Auguſt*, and he ſtayed there till the *26th.* it was of a *Monday*, I remember it by ſeveral circumſtances.

L. C. J. Did you know Mr *Ireland*? *Gifford.* I never ſaw him before.

L. C. J. Do you know it was the ſame that died? *Gifford.* My Lord, here was my brother in Town, who ſaw him executed, and he did aſſure me he was the ſame. I ſaw him again the *2d* of *September*, and the *7th.* of *September*

London again, and the 10*th*. and the 11*th*. my Lord, he was the ſame man I believe, becauſe my brother told me ſo. *p.* 72.

Sir *Ch. Levins.* Gentlemen of the Jury, you have heard the Priſoners, and they have had a great deal of time to make their defence; but the greateſt part of their defence hath been to invalidate the Teſtimony of Mr. *Oates*; and what is the Evidence they have brought againſt him? they tell you firſt, that he did not come over in that Company that he ſays he came over with. And whereas he hath ſworn he was here the 24*th* of *April*, they have taken a great deal of pains by fifteen or ſixteen Witneſſes, to prove that he was all the time at St. *Omers*.--P. 76.

Sir *C. Levins.* ---------Now as for Mr *Oates* Teſtimony, and what they have to ſay to him; in the firſt place, they have brought a young Gentleman, Mr. *Helsley*, and he ſays he did not come over with him, and there 'tis one againſt one, but Dr. *Oates* hath Sworn it, and hath given you ſuch convincing Circumſtances how he loſt his money, &c. ſo that I leave it to you, which of the two is in the right, and ought to be believed. But then, my Lord, as to the reſt of the Witneſſes, here are a great many brought over to prove that Dr. *Oates* was all the while at St. *Omers*; but I ſhall bring you a conſiderable number of Witneſſes, to prove that Dr. *Oates* was then in *London*, and that all theſe Perſons are miſtaken: They do all pitch upon the firſt of *May*, to fix it upon a time, wherein he ſays he was here in Town: But Gentlemen, I hope you did obſerve, that as to other things and time that were not ſo neceſſary as to this matter, there they were pleaſed to miſtake, and to differ one from another, to contradict one another; for ſome of them ſaid he went away and left St. *Omers* the 10*th*. of *June*, others the 23*d*. others, which was the ſame *Flemiſh* Gardiner, that he ſtay'd till *July*: Truly half that variance in the time which is neceſſary, would ſerve our turn, we are but for eight days time, that is, he was not above eight or ten days here; truly theſe Gentlemen will be ſure to ſpeak punctually to all thoſe eight days that hurt the Priſoners, but they will vary thirty days at another time, that hurts them not: Why may they not be miſtaken as well with that portion of time, as they were in the other, wherein they ſo much differed one from another? But I ſhall give you moſt infallable proof by and by, that Mr. *Oates* was in *England* at that time, that he ſaid he was in *England*: This he does in the Trials of *Whitebread*, &c. from *Pag.* 79. to *Pag.* 85. to which the Reader is referred. *Pag.* 77.

Sir *Ch. Levins.*----Then truly, my Lord, they are fixed upon another great matter to blemiſh Dr. *Oates* as to Mr *Ireland*, a perſon that is dead and out of the way. Mr. *Ireland* hath been hanged upon that Evidence, ſo far it was believed, but now after all this will theſe Gentlemen come to queſtion the Evidence that was given againſt Mr. *Ireland*. They have likewiſe, my Lord, brought my Lady *Southcot*, and ſome other perſons who give you an Evidence concerning Mr. *Ireland*, that he ſhould not be here at this time; but Gentlemen under favour, Mr. *Oates* hath ſworn before, and he hath now ſworn it again, that Mr. *Ireland* was at that time in *London*, and Gentlemen, I will confirm him in that by another Witneſs that did ſee him here in Town at that time. And when you have two Witneſſes for the King upon their Oaths come and teſtifie it, I hope you will beleive them, rather then other perſons that teſtifie only by Hear-ſay. It was the matter then in Iſſue, and had ſaved his Life if it had been true, but though it be now ſetled, and none could think it would be again ſtarted, they would make that an Objection, but by chance we have a Witneſs ſtill to give you ſatisfaction, that Mr. *Ireland* was in *London* at that time that Mr. *Oates* did ſwear him to be. We will begin with that Witneſs about *Ireland*. And then we will call our Witneſſes to prove that Mr *Oates* was in *England*, and did come over when he ſaid he did. Call *Sarah Pain* (who was ſworn)

Sir *Ch. Levins.* What time did you ſee Mr. *Ireland* in *London*? did you ſee him in *Auguſt* laſt? *S. Pain* I ſaw him about 7 or 8 days before I came to my Lord *Chamberlain*, and that was about a week before the King went to *Windſor*.

L. C. J. Where did you ſee him? *S. Pain.* At his own door in *Ruſſel-ſtreet*.

L. C. J. Did you ſpeak to him? *S. Pain.* No, I knew him very well, and ſaw him as I came by.

Sir *Ch. Levins.* Had not you carried many Letters to him? *S. Pain.* Yes, ſeveral Letters, *p.* 78.

Sir *Ch. Levins.* But where did you live before? *S. Pain.* I lived at Mr. *Grove*'s.

Sir *Ch. Levins.* Did not Mr. *Ireland* uſe to come there too? *S. Pain.* Yes, he did often.

L. C. Juſt. Was any one talking with *Ireland* then? *S. Pain.* No.

Sir *Ch. Levins.* How long did you look upon him? did you ſee him go in? did you ſee his face or his back?

S. Pain. I ſaw his face, and made him a Courteſie.

L. C. J. This ſhe ſaid to *Irelands* face. Mr. *J. Dolben.* Your Evidence is, that Mr. *Ireland* went out of Town the 5. of *Auguſt*, and ſhe ſays ſhe ſaw him about that time, which muſt be the 12*th* or 14*th* of *Auguſt*. *Gavan.* How does ſhe prove it? ſhe does not ſay ſhe ſpoke with him.

Mr. *Juſt. Dolben.* She ſwears it.

Sir *Ch. Levins.* Now we muſt prove what time the King went to *Windſor*.

L. C. J. Sir *Tho. Doleman*, what time in *Auguſt* did the King go to *Windſor* laſt Summer?

Sir *Tho. Doleman.* I believe (I cannot charge my memory ſo well) it was the 13*th*, it was about the 12*th* or 13.

L. C. J. Was my Lord *Chamberlain* there then? *S. Pain.* My Lord *Chamberlain* went after the King.

L. C. J. And when do you ſay, you ſaw *Ireland*? *S. Pain.* I ſaw him ſeven or eight days before I went to my Lord *Chamberlains*, which was before my Lord went to *Windſor*, and that was a week after the King went thither.

Sir *Ch. Levins.* Now I'le tell you what ſhe ſays; ſhe ſays ſhe ſaw *Ireland* a week before ſhe went to my Lord *Chamberlain*'s, and ſhe ſaw him go into *Grove*'s Houſe, where he did uſually go for Letters. She ſays ſhe ſaw his face, and made him a Courteſie; and that this was a week before ſhe went to my Lord *Chamberlains*, and that was a week after the King went to *Windſor*. Now the time that Mr. *Oates* pitches upon, is between the eighth and the twelfth of *Auguſt*, which by computation is the time ſhe ſpeaks of. *P.* 79.

Gavan.----My Lord, we have here 16 at leaſt *Staffordſhire* Witneſſes, who give you an account of Mr. *Ireland*'s being out of *London* from the 3*d* of *Auguſt* till 14*th* of *September*. So that in theſe two things he hath been contradicted without any anſwer, for he ſays, the 12*th* of *Auguſt* he was with him, when they ſay he was in *Staffordſhire*.

L. C. J. You have forgot the maid that ſaw him in *London* the 12. *or* 13*th*. *Gavan.* No, my Lord, I have not. And this is it, I anſwer to it; ſhe is a witneſs that only ſays, ſhe juſt ſaw him, but did not ſpeak to him.

L. C. J. She made a Courteſie to him. P. 86. *Gavan.* We were talking now of ſeeing *Ireland* in *Auguſt*, and we prove by Sir. *Jo Southcot* and all his Family, who ſay they began their journey with him the 5*th* of *Auguſt*; and ſtaid with him till the 19*th*, after the particular Day that ſhe ſpeaks of, you find 7 or 8 of them ſwear that they ſaw him all the time. *P.* 87.

I will cloſe up the Whole with a little of my *Lord Chief Juſtices* Speech, at the end of the Tryals of *Whitebread*, &c. *p.* 92, 93. Which though it may not at firſt ſeem to anſwer our particular deſign, the demonſtrating *Ireland*'s being

being in *London*, yet it truly answers our general design, to confirm the reality of the Plot, and in order thereunto it is a most noble Argument, and really merits not only the transcribing into this Tract to fill up an empty space, but even into the memories of all true Protestants.

L. C. J. I will challenge all the *Papists* in *England* to satisfie any man that hears me this day of one piece of Evidence, which will turn every Protestants heart against the *Papists*. If so be, they murdered Sir *Edmund-Bury Godfrey*, the Plot even by that is in a great measure proved upon them, by that base murther. And what can be a plainer proof of it, than the evidence of this Day, which Mr. *Dugdale* produces? Who had notice (saith he) on *Monday* night, that on the *Saturday* before it, Sir *Edm. Godfrey* was kill'd (which falls out to be that very *Saturday* he was first missing) which notice was given in a Letter writ by *Harcourt* to *Ewers'* another Priest, that same *Saturday* night, wherein were these words, *This night Sir Edmund-bury Godfrey is dispatched*; and I am sure if this be true, then no man can say but they murdered Him. Now the question is, whether it be true or no? To make it out, he produces Mr. *Chetwind*, whom I hope you will not deny to be a Gentleman of one of the best Families of his Country, and of honest Reputation, who says, that on the *Tuesday* following that *Saturday* Sir *Edmund-bury Godfrey* was miss't, he and another were walking together in *Staffordshire*, and that the other Person asked him if he knew of the Death of any Justice of the Peace at *Westminster*, and when he told him, he had heard of no such thing; No, said he, that is strange, you living sometimes about *Westminster*; for said he, the Wench at the Ale-house says, That this morning Mr. *Dugdale* said to two other Gentlemen, there was a Justice of Peace of *Westminster* killed; and Mr. *Dugdale* swears, That was Sir *Edmund-bury Godfrey*; now if *Dugdale* be fit to be believed, that he saw such a Letter, as he must be if he be not a very great Prophet, to be able to foretell this: or if the Maid that said this, did not invent it (a thing then impossible to be done:) or Mr. *Chetwind* feigned that he heard the Man make his report from the Maid; this thing could not come to pass, but by these men. Nay; if Mr. *Dugdale* could not do as great a Miracle as any are in the *Popish Legends*, how could he tell that it was done on the same Night when it was done at *London*? or speak of it on the *Monday* night after, when it was not known in *London* till the *Thursday* following? This will stick, I assure you (Sirs) upon all your Party.

For my own part, this evidence of Mr. *Dugdale*, gives me the greatest satisfaction of any thing in the World, in this matter, and whilst we rest satisfied in the Murder of that Man, and are morally certain you must do it, knowing of what Principles you are, you cannot blame us, if upon such manifest reasons we lay it upon you.

And this is occasional Evidence, which I for my part never heard before this day; nor can I ever be more or better satisfied, then I am upon this point, *viz.* The Testimony that I have received this afternoon, concerning the murder of Sir *Edmund-bury Godfrey*: As to the defences they have made, they are exceptions in point of time, but do not effect Mr. *Dugdale*; for they have hardly the confidence to deny the things he says to be true against them.

They fall foul indeed upon Mr. *Oates*: He appears to have been their Agent; and whilst so, bad enough; but if he had not had a mind to have become a good man, he would not likely have done us that good that he hath done, in discovering the Design you had engaged him in: let any man judge by your Principles and Practices, what you will not do for the promoting of the same.

F I N I S.